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June 27, 2024

**VIA E-FILING**

Hon. Kenneth M. Karas  
United States District Court  
Southern District of New York  
300 Quarropas Street, Chambers 533  
White Plains, NY 10601-4150

**MEMO ENDORSED**

Re: 7:22-cv-03436-KMK-AEK – Emery & Webb, Inc. v. Christy et al  
WSSLLP File No.: 8222.28518

Dear Hon. Karas:

This office represents Emery & Webb, Inc. (“Plaintiff”) in the above-referenced matter. We submit this Joint Letter Motion Requesting Permission to File a Confidential Settlement Agreement and Release Under Seal (“Motion”). Pursuant to your Individual Rules of Practice, this Motion was filed in public view and an unexecuted copy of the Confidential Settlement Agreement and Release (“Proposed Release”) was filed separately under seal. Although the parties have agreed to utilize the Proposed Release in its current form, its confidentiality is material to their agreed upon resolution. Correspondingly, and for the reasons set forth below, we respectfully request that the Court agree to place an executed copy of the Proposed Release under seal and retain jurisdiction over the dispute until, at the latest, December 31, 2024.

Courts may seal documents to facilitate a settlement. United States v Glens Falls Newspapers, Inc., 160 F3d 853, 858 (2d Cir 1998). This is particularly true when the litigants are private entities and when the terms of the settlement are not a matter of public interest. Intellectual Prop., LLC v StoneCastle Asset Mgt. LLC, 463 F Supp 3d 490, 498 (SDNY 2020). The Proposed Release contains terms which the parties have agreed must remain confidential, those terms are not a matter of public interest, and the disputes underlying this matter arose between private parties. Placing an executed version of the Proposed Release under seal would therefore facilitate a settlement without harming the public interest. The obligations in the Proposed Release must be satisfied by a specified date. Regardless of whether these obligations are satisfied by that date, all pending claims will be resolved on or by December 31, 2024.

For these reasons, the parties request that this Court agree to place an executed version of the Proposed Release under seal and retain jurisdiction over this dispute until, at the latest, December 31, 2024. If the Court approves of our request, an executed copy of the Proposed Release will be filed under seal.

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We appreciate the Court's time with this matter. If you have any questions, please do not hesitate to contact this office.

Sincerely,

**WINGET SPADAFORA &  
SCHWARTZBERG LLP**

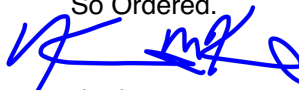
*Christopher Weldon*

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Christopher B. Weldon, Esq.  
Danita L. Pearsall, Esq

Granted.

So Ordered.

  
6/27/24

Cc: James Andris, Esq. (via email)  
Adam Steward Katz, Esq. (via ECF notification)